

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the Examiner's rejection of the above-identified application is respectfully requested in view of the foregoing amendments and following remarks. Claims 1-12 are in the application. Claims 1, 2, 7 and 8 have been amended. No new matter has been added.

Applicant submits herewith a new power of attorney, appointing Collard & Roe, P.C. to transact business with the PTO on his behalf.

The Examiner objected to claim 2. Claim 2 has been amended to depend from claim 1. Claims 7 and 8 have been amended to conform to the amendments of claim 1. No new matter has been added.

The Examiner rejected claims 1-12 under 35 U.S.C. 103 as being unpatentable over *Barnett* in view of *Von Kohorn*. Applicant has amended claim 1 to include a personal video recorder and to clarify that the request for a coupon occurs in response to a television commercial. The request is transmitted via the television remote control, through the PVR to the data processing device, which communicates the request to the broadcast station.

Support for this amendment can be found on page 8 of the specification.

None of the cited references disclose the automatic request for a coupon by a television viewer viewing a commercial on the television set. The patent to Barnett requires that the user log onto a coupon program and select a coupon package for downloading on the computer. *Barnett* does not provide for the automatic transmission of a coupon to a user's computer or other data processing device via pressing a button on a television remote control in response to viewing a commercial for a particular product on the television. The patent to Von Kohorn discloses a system for generating coupons in response to a broadcast, but does not utilize a PVR or a data processing station to transmit coupon requests and receive coupons. *Von Kohorn* discloses a coupon generator located at the viewer's location that issues printed coupons or tokens. This coupon generator requires the user to enter product information into the generator to generate the coupon (see co. 4, lines 7-13). In contrast, the viewer in the present invention merely points the television remote control at the advertised product on the television screen, and selects that product. Shortly thereafter, an electronic coupon for that product is transmitted to the viewer's data processing device.

The Examiner states that Von Kohorn uses a remote control 14 for generating coupons. However, element 14 is not a remote control, but a stand-alone coupon generating device that does not control or send requests through the television to a broadcaster central station.

Combining Barnett with Von Kohorn would not lead to the present invention, because neither patent teaches the idea of selecting coupons by using the television remote control and choosing a coupon for a product currently being advertised on a television commercial. Barnett does not utilize television viewing, and Von Kohorn requires manual entry of product data. Accordingly, Applicant submits that claims 1-12 are patentable over the cited references, taken either singly or in combination. Early allowance of the amended claims is respectfully requested.

Respectfully submitted,
DONALD SPECTOR (D-1)



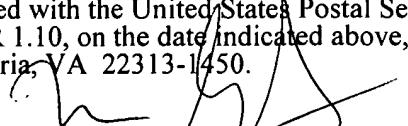
COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, New York 11576
(516) 365-9802

Allison C. Collard, Reg.No.22,532
Edward R. Freedman, Reg.No.26,048
Elizabeth Collard Richter, Reg.No.35,103
Attorneys for Applicant

FJD:jc
Enclosure: New Power of Attorney

EXPRESS MAIL NO. EL 975 567 545 US
Date of Deposit: April 7, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, on the date indicated above, and is addressed to Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Maria Guastella